

City of Alamo Heights
BOARD OF ADJUSTMENT
MINUTES

September 1, 2010

The Board of Adjustment held its scheduled meeting in the Council Chambers at 6120 Broadway on Wednesday, September 1, 2010 at 5:30 p.m.

Members present and composing a quorum of the Board:

Bill Orr – Chairman
Susan Wilson – Vice Chair
Mary Bartlett
Thomas Sanders
Hall Hammond, Alternate
Andrew Herdeg, Alternate
Gregg Chislett

Staff Members Present:

Nathan Lester, Building Official
Brian Chandler, Community Development Director

The meeting was called to order by Mr. Orr at 5:30 p.m.

Mr. Hammond made a motion to approve the minutes from August 4, 2010 as submitted. Mr. Sanders seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Bartlett, Sanders, Hammond, Herdeg, Wilson, Chislett

AGAINST: None

CASE NO. 2128 - 116 W. Oakview Pl.

Application of Donald Shaffer, owner, requesting a variance on the property located at 116 W. Oakview Pl., CB 5572 BLK 6 LOT W 65 FT OF 6, zoned SF-A to provide a 7' fence height instead of the maximum 6' fence height required per Sec. 3-82(9) & Sec. 3-83(6).

Mr. Lester presented the case to the Board. The applicant was not present but his mother represented the case. Discussion focused on visibility issues as to whether Broadway traffic was visible from the residence and whether traffic could see into the living space at night. Ms. Wilson asked if the fence would be constructed of the same materials. Representative said that the existing fence is wood and the proposed fence would be as well. Board clarified that the request was only for the east side only and behind the front façade of the house. Representative said yes.

Mr. Hammond made a motion to approve Case No. 2128 for a 7'-0" maximum fence height on the east side of the property only. Mr. Sanders seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Bartlett, Sanders, Hammond, Herdeg, Wilson, Chislett

AGAINST: None

CASE NO. 2129 – 184 E. Oakview Pl.

Application of Louise Oppenheimer, owner, requesting variances on the property located at 184 E. Oakview Pl., CB 5572 BLK 10 LOT 14, zoned SF-A to provide 1) a 5'-1" side setback instead of the 6' required by Sec. 3-15(3), 2) a 47'-1" side wall length without a minimum 3" offset on the west elevation instead of the maximum 35' wall length without a minimum 3' offset required by Sec. 3-15(3), 3) a 4' high screen wall with 7'-8" high entry gate within the front setback instead of the maximum 3' required by Sec. 3-81(7), 4) a 9'x15' parking pad within the front setback instead of the minimum 9'x18' parking dimensions required per Sec. 3-20, 5) a front porch encroachment into the front setback of 14' instead of the maximum 4' required per Sec. 3-14, and 6) a 8'-6" wide unenclosed, roofed front porch instead of the 27'-6" width required per Sec. 3-14.

Mr. Lester presented the case to the Board. Alex Jordan, contractor, spoke about each variance request individually. Ms. Oppenheimer, owner, was present. A. Jordan stated that the lot is shallow @ 134' in depth and with the grade drop in the front yard the ordinance requirements limited the property's buildable area. Ms. Wilson asked about the existing floor plans layout behind the proposed front arbor. A. Jordan said it was a bedroom with no door access to the porch. Mr. Chislett asked about the length of the parking pad and if they had considered all design options to be able to meet the ordinance requirement. A. Jordan said they were attempting to keep an existing retaining wall and the maximum dimension they could provide for a parking pad would be 15'. Board expressed concerns about the vehicle encroaching the location of typical sidewalks which conflicts with the AH Comprehensive Plan's walkability goals. Two neighbors expressed concerns with proposed front porch/arbor and parking pad and stated that they had not seen the plans or been approached for opinion. They didn't want anything approved until an artistic rendering at least could be submitted for review to understand the final appearance of the construction.

Mr. Hammond made a motion to approve Case No. 2129 for variances 1-3 only, and approved continuance for variances 4-6 based on pending re-submittal. Mr. Sanders seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Bartlett, Sanders, Hammond, Herdeg, Wilson, Chislett

AGAINST: None

CASE NO. 2130 – 280 E. Oakview Pl.

Application of Bill & Ginger Dawley, owners, requesting a variance on the property located at 280 E. Oakview Pl., CB 5572 BLK 13 LOT 27, zoned SF-A to provide 1) a 62' wall length without a minimum 3' offset instead of the maximum 40' wall length without a minimum 3' offset required per Sec. 3-15(4), 2) a 25'3" total side yard setback instead of the minimum 26' total side yard setback required per Sec. 3-15 (1), and 3) a 25' rear yard setback instead of the minimum 35' rear yard setback required per Sec. 3-16 (1).

Mr. Lester presented the case to the Board. Bill and Ginger Dawley, owners, spoke to each variance. Mr. Lester stated that architect had provided a new survey which resulted in variance being un-necessary. Discussion revolved around existing conditions and the design limitations provided regarding each variance.

Mr. Hammond made a motion to approve Case No. 2130 for variances 1 and 3 only. Ms. Bartlett seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Bartlett, Sanders, Hammond, Herdeg, Wilson, Chislett

AGAINST: None

CASE NO. 2131 – 334 Encino Ave.

Application of Jeff Truax, owner, requesting variances on the property located at 334 Encino Ave., CB 4024 BLK 31 LOT 47, zoned SF-A to provide 1) a roof height of 33' within the first 15' of structure instead of the maximum 30' required by Sec. 3-18(1a), 2) a ridge height of 31'-8" beyond the first 15' of structure instead of the maximum 32' required by Sec. 3-18(1a), 3) an attached breezeway height of 13' instead of the maximum 10' height required by Sec. 3-16(4) exception #2, and 4) 3-covered and 1-uncovered parking spaces instead of the minimum 4-covered parking spaces required by Sec. 3-20.

Mr. Lester presented the case to the Board. John Grable, Architect, spoke to each variance and expressed the hardships provided on the lot; including the topography of the lot and it's configuration narrowing significantly to the rear, the large front right-of-way, and the location of a variable width utility easement located on the side and the rear of the lot. The CD office received 3 electronic responses from neighboring properties approving of the variances and the overall design.

Mr. Sanders made a motion to approve Case No. 2131 as submitted. Mr. Hammond seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Bartlett, Sanders, Hammond, Herdeg, Wilson, Chislett

AGAINST: None

CASE NO. 2132 – 415 Harrison Ave.

Application of Harry Halff, owner, requesting variances on the property located at 415 Harrison Ave., CB 4024 BLK 58 LOT SW ½ OF 4 & 5, zoned SF-A to provide 1) a plate height of 32' instead of the maximum 12' required per Sec. 3-18(3), 2) an enclosed front porch height of 21' instead of the maximum 15' height required within the front setback per Sec. 3-14, and 3) an enclosed front porch encroachment of 5' into the front setback instead of the maximum 4' encroachment required per Sec. 3-14.

Mr. Lester presented the case to the Board. Don McDonald, Architect, spoke about each variance expressing the hardships of the existing conditions of the main structure, the extreme topography of the site, and the existence of a 25' right-of-way to the front of the property. Board asked what the compatibility of the front projection of the house was in conjunction with neighboring properties. D. McDonald stated that all houses were consistent in setback and heights. Board discussed the slope of the lot and the reduction of the buildable area.

Mr. Sanders made a motion to approve Case No. 2132 as submitted. Ms. Wilson seconded the motion.

The motion was approved with the following vote:
FOR: Orr, Bartlett, Sanders, Hammond, Herdeg, Wilson, Chislett
AGAINST: None

There being no further business, the meeting was adjourned at 7:35 p.m.

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Bill Orr
Chairman

11/3/10

Date Signed & Filed



Brenda Jimenez
Administrative Assistant